

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Shigeyuki YOKOYAMA, et al.

Date: January 30, 2007

Serial No.: 10/532,948

Group Art Unit: 1653

Filed: January 9, 2006

Examiner: Kagnaw H. GEBREYESUS

For: **NON-NATURALLY-OCCURRING AMINO ACID-CONTAINING PROTEIN  
EXPRESSION METHOD**

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**VIA EFS-WEB**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**RESPONSE TO RESTRICTION/ELECTION REQUIREMENT**

Sir:

In the Office Action mailed in this case on December 15, 2006, claims 1-16 are subject to both restriction and election requirements.

In particular, in accordance with 37 C.F.R. 1.499, applicants are required to elect a single invention from among claim Groups I-III. In response applicants elect, without traverse, Group I which includes claims 1-7 drawn to a method of producing a protein.

Further to the above, the Office Action additionally states that the application contains claims to more than one species of the generic invention and that applicants are required to elect a single disclosed species. In response, applicants additionally elect the double mutant species "V37C195" (see, e.g., Table 1 on p. 14). Applicants further submit that the elected species is readable on pending claims 4, 5, 11 and 12.

**CONTINGENT EXTENSION REQUEST**

If this communication is filed after the shortened statutory time period had elapsed and no separate Petition is enclosed, the Commissioner of Patents and Trademarks is petitioned, under 37 C.F.R. § 1.136(a), to extend the time for filing a response to the outstanding Office Action by

the number of months which will avoid abandonment under 37 C.F.R. § 1.135. The fee under 37 C.F.R. § 1.17 should be charged to our Deposit Account No. 15-0700.

Respectfully submitted,

THIS CORRESPONDENCE IS BEING  
SUBMITTED ELECTRONICALLY  
THROUGH THE UNITED STATES  
PATENT AND TRADEMARK OFFICE  
EFS FILING SYSTEM  
ON JANUARY 30, 2007

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